

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B - Khammam District - Sanction of an amount of Rs. 7,00,000/- towards payment of decretal charges to Kalluri Venkata Rao, Writ Petitioner in W.P.No.18280/1998 as land compensation for acquiring his land admeasuring Ac.11.10 Guntas in Sy.No.69/A, Gundepudi (V), Julurpad (M), Khammam district towards "formation of road from Thallada – Kothagudem, Khammam district" – Accorded - Orders - Issued

TRANSPORT, ROADS AND BUILDINGS (ROADS.III) DEPARTMENT

G.O.Rt.No. 429

Dated: 4th May, 2010

Read :-

From the Engineer-in-Chief (R&B) Roads, Hyderabad, Lr.No.22538/DEE5/
AEE4/09, dated 19-11-2009.

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ORDER:

In the reference read above, the Engineer-in-Chief (R&B) Roads, Hyd., has stated that Sri Kalluri Venkata Rao S/o K. Umamaheswar Rao who was pattadar and possessor of Acres 11-10 Guntas of dry land situated at Gundepudi (V), Zulurpad (M), Khammam district has approached for land compensation for the road leading from "Kothagudem – Thallada" which was formed in the year 1955. After the death of his father, his son i.e., Sri K. Venkat Rao has submitted a representation to L.A.O., on 15-2-1996. The L.A.O., has replied on 11-4-1996 that there was no file pending in this regard. Sri Kalluri Venkata Rao has approached the Hon'ble High Court vide WP.No.11375/1996 and the same was disposed off on 18-6-1996 with a direction to inspect the land and trace out the file with regard to L.A., of the petitioner's land and the compensation shall have to be paid within 4 weeks from the date of this order, i.e., 18-6-1996. The Petitioner filed affidavit in the Hon'ble High Court in support of WP.No.18280/1998. The Hon'ble High Court in its judgment, dt. 28-2-2007 has ordered as "in the counter affidavit, the first respondent (EE R&B, Kothagudem) has clearly stated that the objection raised by 2nd respondent (LAO) have already been complied with. Having regard to the fact that the objections raised by the L.A.O., in his letter, dt. 15-5-1998 have been complied with. This court is of the view that the first respondent must have deposited an amount of Rs. 7.00 lakhs as requested by the second respondent. In view of the same, the second respondent is hereby directed to complete the award enquiry and pass appropriate orders in accordance with the provisions of the L.A. Act."

2) The Engineer-in-Chief (R&B) Roads, Hyd., has further stated that the S.E. (R&B) Khammam reported that the Petitioner has filed affidavit in support of WP in the year 1998 keeping E.E., Kothagudem as respondent. The E.E., Kothagudem has also filed Counter Affidavit in the Hon'ble High Court of A.P. stating that the petitioner have not made any claim in this regard till 1996 though the road was laid in 1955. The rights if any, have become extinct by lapse of time under limitation act and the petitioners are not entitled to seek relief under Art. 226 of Constitution of India after a lapse of 40 years. The Dy. Collector, Land Acquisition, IPT & Railways, Khammam to deposit an amount of Rs.7,00,000/- for taking up of L.A., proceedings vide Spl. Dy. Collector, L.A.O., & IPT. He has, therefore, requested the Govt., to sanction Rs. 7,00,000/- towards L.A., for the above under plan (lands) to deposit the same with the L.A.O., to avoid legal complications to the head of account "5054 – COL on Roads and Bridges, 04 – DOR - MH – 800 – Other Expenditure - GH- 11 – Normal State Plan – SH- 08 – Other Roads – 530 Majworks – 532 - lands (charged).

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3) In the circumstances reported by the Engineer-in-Chief (R&B) State Roads, Hyderabad in his letter read above, the Government after careful examination of the matter hereby accord sanction for an amount of Rs. 7,00,000/- (Rupees Seven Lakhs only) towards payment of decretal charges to Kalluri Venkata Rao, Writ Petitioner in W.P.No.18280/1998 as land compensation for acquiring his land admeasuring Ac.11.10 Guntas in Sy.No.69/A, Gundepudi (V), Julurpad (M), Khammam district towards formation of road from “Thallada – Kothagudem” in Khammam district.

4. The amount sanctioned in para (3) above shall be debited to the Head of Account “5054 – COL on Roads and Bridges, 04 – District & Other Roads - MH – 800 – Other Expenditure - GH - 11 – Normal State Plan – SH – (08) – Other Roads – 530 – Major works – 532 - Lands (charged)” and shall initially be met by an advance from the Contingency Fund and order regarding which will be issued by Finance (BG) Department separately.

5. The Engineer-in-Chief (R&B) State Roads, Hyderabad is requested to take necessary further action accordingly in the matter.

6. The Engineer-in-Chief (R&B) State Roads, Hyderabad shall also send necessary proposals to Finance (BG.I) Department at the appropriate time for obtaining Supplementary Grant to recoup the advance sanctioned from contingency fund.

7. This order issues with the concurrence of Finance (Expr.PW) Department vide their U.O.No.09492-B/240/A2/Expr.PWD/2010, dt. 24-4-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. LAKSHMIPARTHASARATHY

PRINCIPAL SECRETARY TO GOVERNMENT

To

The Engineer-in-Chief (R&B) Admn., & Roads, Hyderabad

Copy to

The Executive Engineer (R&B) Kothagudem

The Spl. Dy. Collector (LA), I.P.T. & Railways, Khammam dist.

The Finance (Expr.PW) Deptt./Finance(BG)Deptt.,

The Accountant General, A.P.Hyderabad

The pay and Accounts Officer, Hyderabad

The D.T.O., Khammam dist.

The Director of Works Accounts, Hyd.

The Director of Treasuries & Accounts, A.P., Hyd.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER